



**Building and Fire Code Board of Appeals
Approved Minutes**

**Board Meeting
July 22, 2020**

The Building and Fire Code Board of Appeals met in a Regular Called Meeting on July 22, 2020 via Webex Video Conference

Chairman, Alan Schumann called the meeting to order at 1:29 p.m.

Board Members in Attendance: Ben Abzug, Aubrey Brasfield, Peter Sybesma, Alan Schumann, Ashley Juraska and Timothy Arndt

Board Members Not in Attendance: Marco Fiorilo, Bobby Johns and James Wilsford and Alicia Jones

Staff in Attendance: Rick Arzola (DSD), Beth Culver (DSD), Tom Vocke (AFD), Ben Flick (AFD), Mark Villarreal (AFD), Tony Hernandez (DSD), Clarissa Davis (LUR), Donna Galati (LUR) Erik Lopez (Law) and Patricia Link (Law)

- 1. APPROVAL OF MINUTES:** The April 22, 2020 minutes were approved as written by Board member **Juraska** and second by board member **Abzug**. Motion passed 6-0. Board member Arndt wanted to show the height of the fence was from the ground to the top of the fence. Board Schumann then referenced the height in the letter of recommendation of the ISPSC to Council. Board then made another motion to approve the minutes, and board voted 6-0.
- 2. PUBLIC HEARING AND APPEAL-La Vista De Lopez-** Prior to beginning of the public hearing, Chairman Schumann verified with City Attorney Clarissa Davis that the site plan had not been approved for the La Vista De Lopez project. And so reviewing Code section 25-11-93 “an interested party may appeal a decision of the building official to grant or deny a permit under this division to the Building and Fire Board of Appeals” Chairman Schumann asks the question to board members, if the board should hear this case if there is no approved site plan or building permit in place.
After discussions between the Law office, Land Use Review staff and the Appellants representing La Vista De Lopez it was determined that the appellants were appealing the interpretation of the fire code on behalf of City code 25-1-182 and not the site plan. And under 25-1-182 “an interested party may initiate an appeal by filing notice of appeal with the responsible director or building official, as applicable” this City code was in relation to the timeline of appeals and not the appeal of decision under 25-11-93. Therefore with no approved site plan and no approved building permit in place, the Building and Fire Board made a motion on behalf Board member Brasfield, not to hear the appeal and Chairman Schumann, seconded the motion, based upon the appellant does not have any standing. And after no further discussion, without established standing, the board voted 5-1 without a quorum vote and therefore no standing.
- 3. DISCUSSION OF THE IBC-** Development Service Staff members are wanting to BFBOA members to assist with DSD members with the development of the 2021 IBC City of Austin Ordinance. In a discussion, board members Schumann and Arndt will provide assistance provisionally with DSD in completing the 2021 Ordinance.
- 4. FUTURE AGEND ITEMS-** No Future agenda items were discussed.
- 5. ADJOURN** – The Building and Fire board meeting was adjourned at 2:30 Pm with no objection.